

FILED IN CHAMBERS
U.S.D.C. AtlantaUnited States District Court
NORTHERN DISTRICT OF GEORGIA

NOV 14 2018

JAMES N. HATTEN, Clerk
By: *Sharon G. Hatten* Deputy Clerk

UNITED STATES OF AMERICA

v.

CRIMINAL COMPLAINT

Emanuel Gray

Case Number: 1:18-MJ-1100

I, the undersigned complainant being duly sworn, state the following is true and correct to the best of my knowledge and belief. From in or about November 2017 through in or about October 2018, in DeKalb County, in the Northern District of Georgia, defendant did, with the intent to harass and intimidate, use an interactive computer service and an electronic communication service and any other facility of interstate commerce, engage in a course of conduct that caused, attempted to cause, and would be reasonably expected to cause substantial emotional distress to Jane Doe. From in or about November 2017 through in or about October 2018, in DeKalb County, in the Northern District of Georgia, defendant did, and attempted to, knowingly employ, use, persuade, induce, entice, and coerce a minor to engage in sexually explicit conduct for the purpose of producing a visual depiction of such conduct; that is, a digital file depicting Jane Doe, a female minor, engaged in sexually explicit conduct, as defined in Title 18, United States Code, Section 2256(2)(A), which visual depiction was transported and transmitted using any means and facility of interstate commerce, including by computer and cellular telephone. On or about November 14, 2018, Defendant possessed child pornography.

in violation of Title 18, United States Code, Section(s) 2261A (cyberstalking), 2251(a) (attempted production of child pornography), and 2252(a)(4)(B) (possession of child pornography).

I further state that I am a(n) Special Agent and that this complaint is based on the following facts:

PLEASE SEE ATTACHED AFFIDAVIT

Continued on the attached sheet and made a part hereof. Yes

[Signature]
Signature of Complainant
Megan Perry

Based upon this complaint, this Court finds that there is probable cause to believe that an offense has been committed and that the defendant has committed it. Sworn to before me, and subscribed in my presence

November 14, 2018

Date

at Atlanta, Georgia

City and State

CATHERINE M. SALINAS

UNITED STATES MAGISTRATE JUDGE

Name and Title of Judicial Officer

AUSA Jolee Porter

[Signature]
Signature of Judicial Officer

ORIGINAL

ORIGINAL

I, Megan Perry, being first duly sworn, do hereby depose and state:

INTRODUCTION AND AGENT BACKGROUND

1. I am a Special Agent with the Federal Bureau of Investigation (FBI) assigned to the Violent Crimes Against Children squad in Atlanta, Georgia. I have been a Special Agent since August 2014. I have the responsibility of investigating violent criminal offenses including the sexual exploitation of children. As part of my duties and responsibilities as an FBI Special Agent, I am authorized to investigate crimes which involve the sexual exploitation of children pursuant to Title 18, United States Code, Sections 1466A, 2251, 2252, and 2252A.
2. As part of my duties as an FBI Special Agent, I have gained experience conducting criminal investigations involving child exploitation and child pornography, and have participated in the execution of numerous search and arrest warrants in such investigations.
3. The statements contained in this Affidavit are based on my personal observations, my training and experience, as well as information obtained from other agents and witnesses. Based on the included information, your affiant believes there is probable cause for an arrest warrant for Emanuel Gray, DOB: 03/24/1999 ("GRAY").

messages, images and/or videos to other users. V1 started a "relationship" with him over text and video calls, however, she never saw his face because his lighting was always dark. V1 stated she sent Emanuel nude pictures (images) of herself and over 20 pornographic videos via text. After a short period Emanuel began demanding nude photos of her and threatened to post her previous photos online if she did not send him 20 nude photos a week from that point forward. V1 refused to do so and purchased a new phone. Because she did not comply Emanuel posted the two identical photos of her on the High School Band's Facebook account under the user names of "John Bill" and "John Buck". After the photos were posted V1 began getting more messages from Emanuel informing her if she did not supply more nude photos he would post completely nude images of her on the once school began instead of the edited ones. V1 advised Emanuel's phone number was 404-421-8289. V1 showed the Schulenburg Police her telephone which contained some of the threatening text messages from telephone number (404) 421-8289, along with the two images which were posted to the Schulenburg High School Facebook account.

6. On August 2, 2018, FBI SA Hopp interviewed V1 via telephone who was at the Schulenburg Police Department in order to obtain additional

had reset the phone to factory settings erasing the phones memory. Emanuel continued to text V1 and began threatening to post nude photos of the High School Band Facebook website if she didn't continue sending him nude photos and videos. Emanuel told V1 he would start posting the images before school starts which would cause her to get kicked out of the school band. To appease Emanuel she said she would send him some more, however, she and had no intention to do so. Emanuel continued his threats vowing to get her kicked out of school band if she did not comply. The threatening text messages which were provided to the Schulenburg Police Department covered a date range from June 17, 2018 to July 17, 2018.

7. FBI Houston Bryan Resident Agency conducted data base checks for subject telephone number 404-421-8289, identified as the phone number used by Emanuel, and for the profile names "John Bill" and "John Buck" which the suspect used when he later posted edited versions of the nude photos onto Facebook. Open source information from Experian associated 404-421-8289 with an Emanuel Gray.
8. Financial reporting associated 404-421-8289 with a "John Hill", who transferred funds, via PayPal, to a female minor who allegedly sold explicit digital content of herself. The underage female reportedly

District of Georgia to obtain location data for telephone number 404-421-8289. (1:18-MC-1645).

13. SA Perry began receiving geo-location data on November 8, 2018 at approximately 11:08 PM. The geo-location data provided by T-Mobile has shown the location of the device utilizing telephone number 404-421-8289 to be in or around 1005 Creste Lane, Decatur, Georgia, 30035.
14. On November 8, 2018 at 11:23 PM carrier time the geo-location data showed the telephone number at 33.707449, -84.192824 with a .0547 distance uncertainty. On November 8, 2018 at 12:08 AM carrier time at 33.70731, -84.192696 with .0081 distance uncertainty. On November 9, 2018 at 6:53 AM carrier time at 33.706859, -84.2484 with .0031 distance uncertainty. On November 9, 2018 at 11:08 AM carrier time at 33.707642, -84.192674 with a .0068 distance uncertainty.
15. The latitudes and longitudes referenced above all coordinate to the area of 1005 Creste Lane, Decatur, Georgia 30035.
16. On November 13, 2018, the Honorable John K. Larkins, III signed a search warrant for 1005 Creste Lane, Decatur, Georgia 30035. (1:18-MC-1720, under seal). On November 14, 2018, at around 7:30 a.m. the FBI executed the search warrant 1005 Creste Lane, Decatur, Georgia 30035. Immediately before the search warrant was executed, the latitudes and

20. Agents conducted a preview of GRAY's cellular telephone. On the phone, Agents located hidden images and videos in his phone gallery. The same image that GRAY posted to Jane Doe's school webpage was located in the gallery in a hidden format. GRAY explained to agents how to "unhide" and view the image. The image was unsanitized and the minor female's breasts and genitalia were exposed.

CONCLUSION

21. Based on the foregoing information, I believe that there is probable cause to believe that a violation of Title 18, United States Code, Section(s) 2261A (cyberstalking), 2251(a) (attempted production of child pornography), and 2252(a)(4)(B) (possession of child pornography) has been committed by GRAY in the Northern District of Georgia.